

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MEKO DEAUNT'E JONES, SR,

Petitioner,

v.

SUPERINTENDENT,

Respondent.

CASE NO. 20-5386 RJB-TLF

ORDER ADOPTING REPORT AND
RECOMMENDATION

THIS MATTER comes before the Court on the Report and Recommendation of U.S. Magistrate Judge Theresa L. Fricke (Dkt. 4) and Petitioner's second application to proceed in forma pauperis ("IFP") (Dkt. 5). The Court has considered the pleadings filed regarding the Report and Recommendation and the motion and is fully advised.

The Report and Recommendation recommends that this habeas petition be dismissed without prejudice as a second and successive petition and the Petitioner's application to proceed IFP be stricken as moot. Dkt. 4. The Report and Recommendation also recommends that a certificate of appealability be denied. *Id.*

1 The Report and Recommendation (Dkt. 4) should be adopted. This petition should be
2 dismissed without prejudice and both applications for IFP (Dkts. 1 and 5) should be stricken as
3 moot. The certificate of appealability should also be denied.

4 **IT IS SO ORDERED.**

5 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
6 to any party appearing *pro se* at said party's last known address.

7 Dated this 2nd day of June, 2020.

8 

9 ROBERT J. BRYAN
10 United States District Judge